

Office of Asst. Sec. for Housing, HUD

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mailed to an address specified by the Secretary; or

(ii) Electronic payment in a manner specified by the Secretary.

(2) Information regarding the current mailing address or electronic payment procedures is available from: HUD, Office of Interstate Land Sales/RESPA Division, Room 9156, 451 7th St., SW., Washington, DC 20410.

(b) *Fees for registration.* The fee for each initial and consolidated registration is set forth in the following schedule:

Number of lots	Fees
200 or fewer lots	\$800
201 or more lots	\$1,000

(c) *Fee for Exemption Order or Advisory Opinion.* The filing fee for an Exemption Order or an Advisory Opinion (§1710.16 or §1710.17) is \$500. This fee is not refundable.

(d) *Amendment fee.* (1) A fee of \$800 is charged when an Annual Activity Report reflects an annual ending inventory of 101 or more unsold registered lots.

(2) A fee of \$800 is charged for an amendment to reactivate a Statement of Record subsequent to its suspension, unless the developer has 100 or fewer unsold lots included in the Statement of Record.

(Pub. L. 90-448, 82 Stat. 476, 590; 15 U.S.C. 1701 *et seq.*)

[44 FR 21453, Apr. 10, 1979, as amended at 49 FR 31373, Aug. 6, 1984; 63 FR 54332, Oct. 8, 1998]

§ 1710.45 Suspensions.

(a) *Suspension notice—prior to effective date.* (1) If it appears to the Secretary that a Statement of Record or an amendment is on its face incomplete or inaccurate in any material respect, the Secretary shall so advise the developer, by issuing a suspension notice, within a reasonable time after the filing of such materials but prior to the time the materials would otherwise be effective.

(2) A suspension notice issued pursuant to this subsection shall suspend the effective date of the Statement of Record or the amendment. It shall continue in effect until 30 days, or such earlier date as the Secretary may de-

termine, after the necessary amendments are submitted which correct all deficiencies cited in the notice.

(3) Upon receipt of a suspension notice, the developer has 15 days in which to request a hearing. If a hearing is requested, it shall be held within 20 days of the receipt of the request by the Secretary.

(b) *Suspension orders—subsequent to effective date.* (1) A notice of proceedings to suspend an effective Statement of Record may be issued to a developer if the Secretary has reasonable grounds to believe that an effective Statement of Record includes an untrue statement of a material fact, or omits a material fact required by the Act or rules and regulations, or omits a material fact which is necessary to make the statements therein not misleading. The Secretary may, after notice, and after opportunity for a hearing requested pursuant to §1720.220 within 15 days of receipt of such notice, issue an order suspending the Statement of Record. In the event that a suspension order is issued, such order shall remain in effect until the developer has amended the Statement of Record or otherwise complied with the requirements of the order. When the developer has complied with the requirements of the order, the Secretary shall so declare and thereupon the suspension order shall cease to be effective.

(2) If the Secretary undertakes an examination of a developer or its records to determine whether a suspension order should be issued, and the developer fails to cooperate with the Secretary or obstructs, or refuses to permit the Secretary to make such examination, the Secretary may issue an order suspending the Statement of Record. Such order shall remain in effect until the developer has complied with the requirements of the order. When the developer has complied with the requirements of the order, the Secretary shall so declare and thereupon the suspension order shall cease to be effective. In accordance with the procedure described in §1720.235, a hearing may be requested.

(3) Upon receipt of an amendment to an effective Statement of Record, the Secretary may issue an order suspending the Statement of Record until

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the amendment becomes effective if the Secretary has reasonable grounds to believe that such action is necessary or appropriate in the public interest or for the protection of purchasers. In accordance with the procedure described in §1720.235, a hearing may be requested.

(4) Suspension orders issued pursuant to this subsection shall operate to suspend the Statement of Record as of the date the order is either served on the developer or its registered agent or is delivered by certified or registered mail to the address of the developer or its authorized agent.

(Pub. L. 90-448, 82 Stat. 476, 590; 15 U.S.C. 1701 *et seq.*)

[44 FR 21453, Apr. 10, 1979]

Subpart B—Reporting Requirements

AUTHORITY: Pub. L. 90-448, 82 Stat. 476, 590; 15 U.S.C. 1701 *et seq.*, unless otherwise noted.

SOURCE: 44 FR 21453, Apr. 10, 1979, unless otherwise noted.

§ 1710.100 Statement of Record—format.

(a) The Statement of Record consists of two portions; the Property Report portion and the Additional Information and Documentation portion.

(b) General format. The Statement of Record shall be prepared in accordance with the following format:

PROPERTY REPORT

Heading and Section Number

Cover Sheet	1710.105
Table of Contents	1710.106
Risks of Buying Land, Warnings	1710.107
General Information	1710.108
Title and Land Use	1710.109
(a) General Instructions	
(b) Method of Sale	
(c) Encumbrances, Mortgages and Liens	
(d) Recording the Contract and Deed	
(e) Payments	
(f) Restrictions	
(g) Plats, Zoning, Surveying, Permits, Environment	
Roads	1710.110
Utilities	1710.111
(a) Water	
(b) Sewer	
(c) Electricity	
(d) Telephone	

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(e) Fuel or other Energy Source	
Financial Information	1710.112
Local Services	1710.113
Recreational Facilities	1710.114
Subdivision Characteristics and Climate	1710.115
(a) General Topography	
(b) Water Coverage	
(c) Drainage and Fill	
(d) Flood Plain	
(e) Flooding and Soil Erosion	
(f) Nuisances	
(g) Hazards	
(h) Climate	
(i) Occupancy	
Additional Information	1710.116
(a) Property Owners' Association	
(b) Taxes	
(c) Violations and Litigation	
(d) Resale or Exchange Program	
(e) Unusual Situations	
1. Leases	
2. Foreign Subdivision	
3. Time Sharing	
4. Membership	
(f) Equal Opportunity in Lot Sales	
(g) Listing of lots	
Cost Sheet	1710.117
Receipt, Agent Certification and Cancellation Page	1710.118

ADDITIONAL INFORMATION AND DOCUMENTATION

General Information	1710.208
Title and Land Use	1710.209
Roads	1710.210
Utilities	1710.211
Financial Information	1710.212
Recreational Facilities	1710.214
Subdivision Characteristics	1710.215
Additional Information	1710.216
Affirmation	1710.219

(Approved by the Office of Management and Budget under control number 2502-0243)

[44 FR 21453, Apr. 10, 1979, as amended at 49 FR 31370, Aug. 6, 1984; 49 FR 33644, Aug. 24, 1984]

§ 1710.102 General instructions for completing the Statement of Record.

(a) *Paper and type.* The Statement of Record shall be on good quality, unglazed white or pastel paper. Letter size paper, approximately 8×11 inches in size, will be used for the Property Report portion and legal size paper, approximately 8½×14 inches in size, will be used for the Additional Information and Documentation portion. Side margins shall be no less than 1 inch and no greater than 1½ inches. Top and bottom margins shall be no less than 1